

**REMARKS**

Claims 1-16, 20 and 21 are pending. By this Amendment, claims 1-16, 20 and 21 are amended for clarity, to improve their grammar and to even further distinguish over the applied references, and non-elected, withdrawn claims 17-19 and 22-46 are cancelled without prejudice to or disclaimer of the subject matter therein. Applicants reserve the right to file one or more divisional applications to pursue the non-elected subject matter.

Applicants reaffirm their election of claims 1-16, 20 and 21. As noted above, withdrawn claims 17-19 and 22-46 have been cancelled. Due to the cancellation of the claims, two of the inventors should be deleted as inventors for this application. Accordingly, Applicants file an Amendment of Inventorship herewith. The Examiner is requested to approve and enter the Amendment of Inventorship.

The specification was objected to. Applicants submit a substitute specification, along with a red-lined version of the substitute specification showing the changes to the original specification, in order to address the informalities identified in the Office Action, along with other informalities uncovered during a review of the specification.

Many of the claims were objected-to for informalities. The Examiner is thanked for identifying the informalities in the claims, particular relating to the use of the word "electric". The claims have been amended to address all of the informalities except for the alleged informality identified for claim 12. Applicants respectfully submit that claim 12 is accurate and clear because it is possible for the quantity of stock to become below zero when, for example, the amount of stock ordered by purchasers is more than the amount of stock currently existing in inventory. Thus, Applicants request that the objection to claim 12 be withdrawn.

Claims 13-16 stand rejected under 35 U.S.C. §112, second paragraph. Claims 13-16 have been amended to address the rejection. Withdrawal of the rejection is requested.

Claims 1, 6 and 20 stand rejected under 35 U.S.C. §103(a) over US2002/0152200 to Krichilsky et al. in view of US2002/0077937 to Lyons et al. This rejection is respectfully traversed.

With respect to independent claims 1 and 20, Krichilsky et al. is not related to stock management and does not disclose monitoring the quantity of stock. Consequently, it would not have been obvious to one of ordinary skill in the art to incorporate calculation of a quantity of items (i.e., stock) in the system of Krichilsky et al. In addition, with respect to independent claim 1, neither Krichilsky et al. nor Lyons et al. discloses a step of transmitting information about an out-of-stock status of the commodity to the terminal of the user having transmitted purchase information via the network in response to received purchase information when the quantity of stock of the commodity is below a given quantity. With respect to independent claim 20, neither Krichilsky et al. nor Lyons et al. discloses or suggests a step to transmit information advising an advance order for the commodity to the terminal of the user via the network in response to received purchase information when a quantity of stock of the commodity is below a given quantity.

While paragraph [0077] of Krichilsky et al. may disclose that "the screen shown in Fig. 13 allows a user to place a selected unavailable product on a wait list via a "watch list" input field 1304. Then, if the selected item becomes available in the future, the order processing system 208 notifies the user of such availability (e.g., via e-mail, physical mail, facsimile, etc.). Alternatively, the order processing system 208 may be configured to automatically order the selected product when it becomes available", Krichilsky et al. does not disclose any calculation of the quantity of stock.

Withdrawal of the rejection is requested.

Claim 2 stands rejected under 35 U.S.C. §103(a) over the references applied against claim 1, and further in view of Aichlmayr. Aichlmayr does not provide the deficiencies noted

above with respect to independent claim 1. Accordingly, claim 2 also is patentable.

Withdrawal of the rejection is requested.

Claims 3 and 5 stand rejected under 35 U.S.C. §103(a) over Krichilsky et al. in view of Lyons et al. and Butler et al. This rejection is respectfully traversed.

None of the applied references discloses or suggests a step of transmitting information indicating that the quantity of stock of a commodity becomes below the given quantity to the terminal of a manager of merchandise via the network only when it is detected that the quantity of stock of the commodity becomes below the first given quantity for the first time since a given time, as recited in independent claim 3. Accordingly, claim 3 and its dependent claims are patentable over the applied references. Withdrawal of the rejection is requested.

Claim 3 also stands rejected under 35 U.S.C. §103(a) over Krichilsky et al. in view of Lyons et al. and US2003/0033205 to Nowers et al. This rejection is respectfully traversed.

Nowers et al. does not overcome the deficiencies noted above with respect to the rejection of claims 3 and 5. Withdrawal of the rejection is requested.

Claims 4 and 5 stand rejected under 35 U.S.C. §103(a) over Krichilsky et al. in view of Lyons et al. and Nowers et al., and further in view of Butler et al. This rejection is respectfully traversed.

Claims 4 and 5 are patentable for at least the reasons set forth above with respect to independent claim 3. In addition, none of the reference discloses detecting whether a quantity of stock of a commodity becomes below a second given quantity that is smaller than a first given quantity, as recited in claim 4. Accordingly, claim 4 is patentable for at least this additional reason.

Claims 7 and 8 stand rejected under 35 U.S.C. §103(a) over Charlish in view of Matsumoto (JP-A-2000-305617). This rejection is respectfully traversed.

While Charlish may disclose that managers can obtain reports about stock levels, Charlish does not disclose when the reports are obtained. While Matsumoto may disclose that update data can be added and/or subtracted from inventory and stored in management files, Matsumoto does not disclose that the update data is obtained through a network. Accordingly, Charlish and Matsumoto do not disclose or suggest the combination of features recited in independent claim 7, including, *inter alia*, a step to transmit stock management information for entering a fluctuation of the quantity of stock for each commodity to the terminal of the stock manager via a network, and a step to receive information about the fluctuation of the quantity of stock of a commodity from the terminal of the stock manager via a network. Accordingly, claim 7 and its dependent claims are patentable. Withdrawal of the rejection is requested.

Claim 9 stands rejected under 35 U.S.C. §103(a) over the references applied against claim 7, and further in view of Nowers et al. Claim 10 stands rejected under 35 U.S.C. §103(a) over the references applied against claim 9, and further in view of Butler et al. Claim 11 stands rejected under 35 U.S.C. §103(a) over the references applied against claim 10, and further in view of Krichilsky et al. Claim 12 stands rejected under 35 U.S.C. §103(a) over the references applied against claim 7, and further in view of Aichlmayr. These claims are patentable for at least the reasons set forth above with respect to independent claim 7. Withdrawal of the rejections is requested.

Claims 13 and 15 stand rejected under 35 U.S.C. §103(a) over Krichilsky et al. This rejection is respectfully traversed.

As noted above, Krichilsky et al. is not related to stock management, and does not disclose a step to detect a quantity of stock of a commodity, and a step to execute a measure applied to the commodity by the computer when the quantity of stock of the commodity becomes below a given quantity, as recited in claim 13. Accordingly, claim 13 and its

dependent claims are patentable over Krichilsky et al. Withdrawal of the rejection is requested.

Claims 14 and 16 stand rejected under 35 U.S.C. §103(a) over Krichilsky et al., and further in view of Aichlmayr. This rejection is respectfully traversed.

Claims 14 and 16 are patentable for at least the reasons set forth above with respect to independent claim 13. Withdrawal of the rejection is requested.

Claim 21 stands rejected under 35 U.S.C. §103(a) over Krichilsky et al. in view of Lyons et al., and further in view of US2002/0074349 to Gupta et al. This rejection is respectfully traversed.

Gupta et al. does not overcome the deficiencies in Krichilsky et al. and Lyons et al. discussed above with respect to independent claim 20. Accordingly, claim 21 is patentable for at least all of the reasons set forth above with respect to independent claim 20. Withdrawal of the rejection is requested.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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MAC/ccs

Attachment:  
Amendment of Inventorship

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